

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SHIRLEY COOKE,)	CASE NO. 1:09CV842
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	
COMMISSIONER OF SOCIAL)	ORDER
SECURITY,)	
)	
DEFENDANT.)	
)	

Before the Court is the Report and Recommended Decision (“R&R”) of Magistrate Judge David S. Perelman that the Commissioner’s final determination should be reversed and this action remanded pursuant to both the fourth and the sixth sentences of 42 U.S.C. § 405(g). (Doc. No. 25.) The Commissioner has filed his response to the R&R explicitly indicating that he does not object. (Doc. No. 26.) Not surprisingly, plaintiff did not file any objections.

The R&R criticizes the Administrative Law Judge (“ALJ”) for precipitously entering a determination with respect to plaintiff’s applications for disability insurance benefits (“DIB”) and supplemental security income (“SSI”), knowing that there would soon be available additional medical records relevant to that determination.

Given the Commissioner's concurrence with the recommendation that this case be remanded for further proceedings, the Court hereby **REVERSES** the Commissioner's final determination and **REMANDS** this case pursuant to sentence four of 42 U.S.C. §405(g).

IT IS SO ORDERED.

Dated: January 3, 2011



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE